T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			08-Jan-08	1	APPL. S. N:		10618962						
To Exam	iner:		DAO, MINH]	Art Unit		2618						
From			Jefferson, Henry PARALEGAL SPCECIALIS] ST	Return This Memo To Drop-Off Location	: Case	JEF-2D68						
SUBJEC	T: Decisio	on on Terminal	Disclaimer(T.D.) filed:										
form par or have a	agraphs i any quest	dentified by thi ions, please se	I the submitted T.D. witi is informal memo in you e me or the Special Pro APPLICANT OR (2) PLAC	r next C gram Ex	Office action to notify ap aminer. THIS IS AN IN	plicant of t FORMAL, II	the T.D. If you o	disagree O ONLY.					
please in	itial, date	and return thi	s memo to me. THANK	YOU.									
∀	The T.D.	is PROPER and	has been recorded (see	e 14.23) .								
Γ	The T.D.	is NOT PROPE	R and has not been acce	epted for	r the reason(s) checked	below (se	e 14.24):						
	Г	The TD fee of use of a depos		submitte	ed nor is there any auth	orization ir	n the application	n file for the					
	nas not stated tented by the sig												
	<u> </u>	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).											
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).											
		The person who signed the T.D.:											
		is no	t an attorney "of record	" (see 1	4.29 and 14.29.01).								
		has has	failed to state his/her ca	pacity t	o sign for the business	entity (see	14.28).						
		is no	t recognized as an office	er of the	assignee (see 14.29 &	possible 1	4.29.02).						
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).											
	Γ	The T.D. is no	t signed (see 14.26 & 14	4.26.03).								
	Γ	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).											
	Γ	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).											
		The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).											
		Other:											
		Suggestion to and do not ch	request refund (see 14.					t account					
I have ap	propriate	ly notified app	licant(s) of the status of	the Ter	minal Disclaimer filed in	n this case							
Ex.Initial	s:	Date	:				Log Date:						

Application Number		10/618,962		Re	pplicant(s)/Patent (eexamination TSMON ET AL.	under				
Document Code - DISQ		Internal Doc			cument – DO NOT MAIL					
TERMINAL DISCLAIMER	∑	⊠ APPROVED			☐ DISAPPROVED					
Date Filed : November 5, 2007	•	This patent is subject to a Terminal Disclaimer								
Approved/Disapproved by:										
Henry D. Jefferson										

U.S. Patent and Trademark Office

5. Nov. 200 45:440.

HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alon ATSMON et al

Serial No.:

10/618,962

Filed:

July 14, 2003

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For:

Physical Presence Digital

Authentication System

Attorney Docket: 36442

Group Art Unit: 2618

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Examiner:

DAO, Minh D.

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

The owner, BeepCard Ltd., of Tel-Aviv Israel having 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,607,136. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay 8288107 581487 18618962 maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, DA is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all

claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization to charge the above Terminal Disclaimer fee of \$65, and any other fees to Deposit Account 50-1407. A duplicate of this form is enclosed.

Respectfully submitted,

Martin D. Moynihan Registration No. 40,338

November 5, 2007

THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Alon ATSMON et al

Serial No.:

10/618,962

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